

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

MORGAN STANLEY MORTGAGE
CAPITAL HOLDINGS LLC, AS
SUCCESSOR-IN-INTEREST TO MORGAN
STANLEY MORTGAGE CAPITAL INC.,

SUMMONS IN A CIVIL CASE

v.

FREMONT INVESTMENT & LOAN,

CASE NUMBER:

07 CV 9457

TO: (Name and address of defendant)

Freemont Investment & Loan
c/o CT Corporation System, its registered agent for service
111 Eighth Avenue
New York, NY 10011

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Richard A. Edlin, Esq.
Ann C. Turetsky, Esq.
Greenberg Traurig, LLP
200 Park Avenue
New York, New York, 10166
(212) 801-9200

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

OCT 23 2007

DATE

(By) DEPUTY CLERK



RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹ NAME OF SERVER (PRINT)	DATE TITLE
--	---------------

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
 Date _____
 Signature of Server _____

Address of Server _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.